

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hearing Instrument Consumer Protection Act
5 is amended by changing Sections 8, 9, 11, 13, and 15 and by
6 adding Section 6.1 as follows:

7 (225 ILCS 50/6.1 new)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 6.1. Reciprocity. The Department shall issue a license
10 to any hearing instrument dispenser who (i) has a valid license
11 as a hearing instrument dispenser, or its equivalent, from
12 another state that has an examination that is comparable to the
13 examination required under this Act or is provided by the
14 International Hearing Society, (ii) has completed the specific
15 academic and training requirements, or their equivalent, under
16 this Act, (iii) has been actively practicing as a hearing
17 instrument dispenser for at least 3 months or is certified by
18 the National Board for Certification in Hearing Instrument
19 Sciences, and (iv) has paid the required fee.

20 (225 ILCS 50/8) (from Ch. 111, par. 7408)

21 (Section scheduled to be repealed on January 1, 2016)

22 Sec. 8. Applicant qualifications; examination.

1 (a) In order to protect persons with hearing impairments,
2 the Department shall authorize or shall conduct an appropriate
3 examination for persons who dispense, test, select, recommend,
4 fit, or service hearing instruments. The frequency of holding
5 these examinations shall be determined by the Department by
6 rule. Those who successfully pass such an examination shall be
7 issued a license as a hearing instrument dispenser, which shall
8 be effective for a 2-year period.

9 (b) Applicants shall be:

10 (1) at least 18 years of age;

11 (2) of good moral character;

12 (3) a high school graduate or the equivalent;

13 (4) free of contagious or infectious disease; and

14 (5) a citizen or person who has the status as a legal
15 alien.

16 Felony convictions of the applicant and findings against
17 the applicant involving matters set forth in Sections 17 and 18
18 shall be considered in determining moral character, but such a
19 conviction or finding shall not make an applicant ineligible to
20 register for examination.

21 (c) Prior to engaging in the practice of fitting,
22 dispensing, or servicing hearing instruments, an applicant
23 shall demonstrate, by means of written and practical
24 examinations, that such person is qualified to practice the
25 testing, selecting, recommending, fitting, selling, or
26 servicing of hearing instruments as defined in this Act. An

1 applicant who fails to obtain a license within 12 months after
2 passing both the written and practical examinations must take
3 and pass those examinations again in order to be eligible to
4 receive a license.

5 The Department shall, by rule, determine the conditions
6 under which an individual is examined.

7 (d) Proof of having met the minimum requirements of
8 continuing education as determined by the Board shall be
9 required of all license renewals. Pursuant to rule, the
10 continuing education requirements may, upon petition to the
11 Board, be waived in whole or in part if the hearing instrument
12 dispenser can demonstrate that he or she served in the Coast
13 Guard or Armed Forces, had an extreme hardship, or obtained his
14 or her license by examination or endorsement within the
15 preceding renewal period.

16 (e) ~~Persons Beginning January 1, 2003, persons~~ applying for
17 an initial license must demonstrate having earned, at a
18 minimum, an associate degree or its equivalent from an
19 accredited institution of higher education that is recognized
20 by the U.S. Department of Education and meet the other
21 requirements of this Section. In addition, the applicant must
22 demonstrate the successful completion of 12 semester hours or
23 18 quarter hours of academic undergraduate course work in an
24 accredited institution consisting of 3 semester hours of
25 anatomy and physiology of the speech and hearing mechanism, 3
26 semester hours of hearing science, 3 semester hours of

1 introduction to audiology, and 3 semester hours of aural
2 rehabilitation, or the quarter hour equivalent. Persons
3 licensed before January 1, 2003 who have a valid license on
4 that date may have their license renewed without meeting the
5 requirements of this subsection.

6 (Source: P.A. 91-932, eff. 1-1-01; 92-161, eff. 7-25-01.)

7 (225 ILCS 50/9) (from Ch. 111, par. 7409)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 9. Areas of examination. The examination required by
10 Section 8 shall be set forth by rule and demonstrate the
11 applicant's technical qualifications by:

12 (a) Tests of knowledge in the following areas as they
13 pertain to the testing, selecting, recommending, fitting, and
14 selling of hearing instruments:

15 (1) characteristics of sound;

16 (2) the nature of the ear; and

17 (3) the function and maintenance of hearing
18 instruments.

19 (b) Practical tests of proficiency in ~~the following~~
20 techniques as they pertain to the fitting of hearing
21 instruments shall be prescribed by the Department, set forth by
22 rule, and include candidate qualifications in the following
23 areas:

24 (1) pure tone audiometry including air conduction
25 testing and bone conduction testing;

1 (2) live voice or recorded voice speech audiometry,
2 including speech reception, threshold testing and speech
3 discrimination testing;

4 (3) masking;

5 (4) proper selection and adaptation of a hearing
6 instrument;

7 (5) Taking earmold impressions;

8 (6) Proper maintenance procedures; and

9 (7) a general knowledge of the medical and physical
10 contra-indications to the use and fitting of a hearing
11 instrument.

12 (c) Knowledge of the general medical and hearing
13 rehabilitation facilities in the area being served.

14 (d) Knowledge of the provisions of this Act and the rules
15 promulgated hereunder.

16 (Source: P.A. 89-72, eff. 12-31-95.)

17 (225 ILCS 50/11) (from Ch. 111, par. 7411)

18 (Section scheduled to be repealed on January 1, 2016)

19 Sec. 11. Graduate audiology students. Full-time graduate
20 students enrolled in a program of audiology in an accredited
21 college or university may engage in the dispensing of hearing
22 instruments as a part of an academic a program of audiology
23 without a license under the supervision of a licensed
24 audiologist.

25 The supervisor and the supervisor's employer shall be

1 jointly and severally liable for any acts of the student
2 relating to the practice of fitting or dispensing hearing
3 instruments as defined in this Act and the rules promulgated
4 hereunder.

5 (Source: P.A. 91-932, eff. 1-1-01.)

6 (225 ILCS 50/13) (from Ch. 111, par. 7413)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 13. Expiration and renewal of licenses. The expiration
9 date and renewal period for licenses shall be set by rule. ~~A~~
10 ~~hearing instrument dispenser whose license has expired may have~~
11 ~~it reinstated within 2 years after the expiration thereof, by~~
12 ~~making a renewal application therefor, demonstrating~~
13 ~~compliance with all continuing education requirements, and by~~
14 ~~paying the required fee. However, any hearing instrument~~
15 ~~dispenser whose license expired while: (1) on active duty with~~
16 ~~the Armed Forces of the United States, or the State Militia~~
17 ~~called into service or training, or (2) in training or~~
18 ~~education under the supervision of the United States~~
19 ~~preliminary to induction into the military service, may have~~
20 ~~the license renewed, reinstated, or restored without paying any~~
21 ~~lapsed renewal fees if, within 2 years after honorable~~
22 ~~termination of such service, training, or education, except~~
23 ~~under conditions other than honorable, such person shall have~~
24 ~~furnished the Department with satisfactory evidence of being so~~
25 ~~engaged and that the service, training or education has been~~

1 ~~terminated.~~

2 ~~Pursuant to rule, a hearing instrument dispenser whose~~
3 ~~license has expired and who has not practiced for at least 2~~
4 ~~years may have such license restored by retaking and passing~~
5 ~~the examinations as required by Sections 8 and 9 and paying the~~
6 ~~required fees.~~

7 (Source: P.A. 89-72, eff. 12-31-95.)

8 (225 ILCS 50/15) (from Ch. 111, par. 7415)

9 (Section scheduled to be repealed on January 1, 2016)

10 Sec. 15. Fees.

11 (a) The examination and licensure ~~following are fees paid~~
12 ~~to the Department to be charged and~~ are not refundable and
13 shall be set forth by administrative rule. ÷

14 ~~(1) The fee for application for a license is \$40.~~

15 ~~(2) In addition to the application fee, applicants for~~
16 ~~any examination shall be required to pay, either to the~~
17 ~~Department or to the designated testing service, a fee~~
18 ~~covering the actual cost of the examination. Failure to~~
19 ~~appear for the examination on the scheduled date, at the~~
20 ~~time and place specified, after the applicant's~~
21 ~~application and fee for the examination has been received~~
22 ~~and acknowledged by the Department or the designated~~
23 ~~testing service, shall result in the forfeiture of the fee.~~

24 ~~(3) The fee for a license shall be \$115 per 2 year~~
25 ~~licensure period, except that the fee for a license for a~~

1 ~~person obtaining his or her supervised professional~~
2 ~~experience as required by subsection (f) of Section 8 of~~
3 ~~the Illinois Speech Language Pathology and Audiology~~
4 ~~Practice Act shall be \$60 per one year licensure period.~~

5 ~~(4) The fee for the reinstatement of a license which~~
6 ~~has been expired for more than 90 days but less than 2~~
7 ~~years is \$50 plus payment of all lapsed renewal and late~~
8 ~~fees.~~

9 ~~(5) The fee for the restoration of a license which has~~
10 ~~been expired for more than 2 years is \$100 plus payment of~~
11 ~~all lapsed renewal and late fees.~~

12 ~~(6) The fee for the issuance of a duplicate license,~~
13 ~~for the issuance of a replacement license which has been~~
14 ~~lost or destroyed or for the issuance of a license with a~~
15 ~~change of name or address is \$10. No fee is required for~~
16 ~~name and address changes on Department records when no~~
17 ~~duplicate license is issued.~~

18 ~~(7) The fee for a licensee's record for any purpose is~~
19 ~~\$10.~~

20 ~~(8) The fee to have the scoring of an examination~~
21 ~~administered by the Department reviewed and verified is~~
22 ~~\$10, plus any fee charged by the testing service.~~

23 ~~(9) The fee for a wall license shall be the actual cost~~
24 ~~of such license.~~

25 ~~(10) The fee for a roster of persons licensed as~~
26 ~~hearing instrument dispensers shall be the actual cost of~~

1 ~~such roster.~~

2 ~~(11) The annual fee for any organization registered~~
3 ~~pursuant to Section 6 is \$100. Such fee is in addition to~~
4 ~~all other fees imposed under this Act.~~

5 ~~(12) A late fee, which shall be in the same amount as~~
6 ~~the license renewal fee, shall be charged to a dispenser~~
7 ~~whose license renewal fee is received by the Department~~
8 ~~after the expiration date of the license.~~

9 ~~(13) Sponsors of continuing education courses shall~~
10 ~~provide such information as may be required by rule and~~
11 ~~shall pay a fee of \$150 per course. However, courses~~
12 ~~certified or approved for continuing education by the~~
13 ~~International Hearing Aid Society, the American Academy of~~
14 ~~Audiology, the Academy of Dispensing Audiologists, the~~
15 ~~American Speech Language Hearing Association, or any other~~
16 ~~national organization approved by the Board shall be exempt~~
17 ~~from such fee and compliance with such course filing~~
18 ~~requirements as specified by rule.~~

19 (b) The moneys received as fees and fines by the Department
20 under this Act shall be deposited in the Hearing Instrument
21 Dispenser Examining and Disciplinary Fund, which is hereby
22 created as a special fund in the State Treasury, and shall be
23 used only for the administration and enforcement of this Act,
24 including: (1) costs directly related to licensing of persons
25 under this Act; and (2) by the Board in the exercise of its
26 powers and performance of its duties, and such use shall be

1 made by the Department with full consideration of all
2 recommendations of the Board.

3 All moneys deposited in the Fund shall be appropriated to
4 the Department for expenses of the Department and the Board in
5 the administration and enforcement of this Act.

6 Moneys in the Fund may be invested and reinvested, with all
7 earnings deposited in the Fund and used for the purposes set
8 forth in this Act.

9 Upon the completion of any audit of the Department as
10 prescribed by the Illinois State Auditing Act, which audit
11 shall include an audit of the Fund, the Department shall make a
12 copy of the audit open to inspection by any interested person,
13 which copy shall be submitted to the Department by the Auditor
14 General, in addition to the copies of audit reports required to
15 be submitted to other State officers and agencies by Section
16 3-14 of the Illinois State Auditing Act.

17 (Source: P.A. 91-932, eff. 1-1-01.)